

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/28/2024</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KSFB MANAGEMENT, LLC, a Delaware	:	
limited liability company,	:	
	:	
Plaintiff,	:	
	:	24-CV-4424 (VEC)
-against-	:	
	:	<u>ORDER</u>
GALWAY HOLDINGS, LP, a Delaware limited	:	
partnership,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on June 25, 2024, Plaintiff filed a proposed order to show cause why a temporary restraining order (“TRO”) should not be issued against Plaintiff, *see* Proposed Order, Dkt. 15;

WHEREAS on June 26, 2024, the Court ordered Defendant to appear for a show-cause hearing on Plaintiff’s application for a TRO and set a deadline for Defendant’s opposition, *see* Order, Dkt. 25;

WHEREAS on June 27, 2024, Defendant opposed Plaintiff’s application for a TRO, *see* Opp., Dkt. 29;

WHEREAS on June 28, 2024, Plaintiff moved for leave to file a reply declaration in further support of its application for a TRO and to seal exhibits F and G to the reply declaration, *see* Letter, Dkt. 36; and

WHEREAS on June 28, 2024, the parties appeared for a show-cause hearing;


IT IS HEREBY ORDERED that Plaintiff's motion for leave to file a reply declaration and to seal exhibits F and G to the declaration is GRANTED. The Clerk of Court is respectfully directed to terminate the open motion at Dkt. 36.

IT IS FURTHER ORDERED that, for the reasons stated at the show-cause hearing, Plaintiff's application for a TRO is DENIED.

IT IS FURTHER ORDERED that the parties must meet and confer regarding (1) whether they should ask the Court to stay this case pending resolution of the first-filed action in California Superior Court and (2) if the parties choose not to seek a stay of this case, a schedule to move this case forward, including for Plaintiff to respond to the pending motion to dismiss or to file an Amended Complaint. By not later than **Tuesday, July 2, 2024**, the parties must file via ECF a joint letter regarding the results of their meet and confer and the proposed path forward in this case.

**SO ORDERED.**

**Date: June 28, 2024**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**